

Exhibit 3

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

CARA MCCLURE, et al.,

Plaintiffs,

v.

JEFFERSON COUNTY
COMMISSION, et al.,

Defendants.

No. 2:23-cv-00443-MHH

ALEXIA ADDOH-KONDI, et al.,

Plaintiffs,

v.

JEFFERSON COUNTY
COMMISSION, et al.,

Defendants,

No. 2:23-cv-00503-MHH

DECLARATION OF KEITH HARRIS

1. I am Keith Harris, the Chief of Elections for the Jefferson County Commission General Services Department.

2. I am over the age of eighteen and under no mental disability or impairment. I have personal knowledge of the following facts and, if called as a witness, I would competently testify to them.

3. The Jefferson County Commission General Services Department is responsible for election-day equipment such as voting tabulators and precinct supplies.

4. As the Chief of Elections for the General Services Department, I am involved in auditing ballot styles before they go to the printer, overseeing the coding of election-day equipment to ensure that all voting tabulators are properly programmed to tabulate all ballots cast and that all electronic polling books contain registered voters for the precincts.

5. I have worked for the General Services Department for 19 years.

6. Most recently, the Department helped administer the special election for Jefferson County Commission District 5. That special election was held only for voters in Commission District 5 and required only one ballot style for all voters.

7. The upcoming 2024 primary elections will be held for all voters in Jefferson County, where there will be one Republican primary election and one Democratic primary election for numerous elected positions.

8. The number of elected positions up for election in 2024 will require many different ballot styles. Different ballot styles are required for different voters depending on where voters live and which primary election they are voting in. Based on my experience, I expect there could be as many as 180 different ballot styles required for the March 2024 primary.

9. In anticipation of the 2024 elections, the Elections Department participates in an audit or review of all ballot styles before the ballots are sent for printing. The Department's audit will take place over the course of two or so days in late December 2023.

10. Once the County approves all ballot styles, the Elections Department sends all ballot styles to be printed by ES&S, which is the printer for Jefferson County.

11. After ballots are finalized, the ballots cannot be changed. The County's software uses the finalized ballot information to code the election-day voting machines. Voting machines cannot later be coded with additional elections added after ballots are finalized in December 2023.

12. The Elections Department must deliver all elections supplies, including printed ballots, to the absentee office for absentee voting on January 10, 2024.

13. After ballot printing, the Elections Department begins preparing the voting equipment for absentee voting.

14. The Elections Department has a total of 440 DS200 election-day voting tabulators. For the 2024 elections, we will program, test, and distribute at least 380 DS200 election-day voting machines for tabulating ballots throughout the County. Every precinct must have at least two voting machines, to ensure that there is a back-

up tabulator should one malfunction. Larger precincts require up to 4 or more tabulators.

15. Throughout January and February, the Elections Department will conduct Logic and Accuracy Testing on all DS200 voting machines. Because of the number of different ballot styles likely to be used in 2024 elections, programming and testing of elections equipment will likely require two weeks of my time. The testing is critical to ensure that all tabulators are accurate.

16. A week before the election, the Elections Department also programs and tests the electronic pollbooks, which contain data linking the ballot styles finalized in December 2023 to all registered voters. The electronic pollbooks are how poll workers know which ballot styles to give to which voters, and they ensure that each voter is voting only once. Programming and testing the electronic poll books is roughly a four-day process.

17. If the County were required to hold special elections for County Commission in tandem with the 2024 primary elections, that would likely require a separate ballot and a separate set of voting machines if the candidates for those elections do not qualify at the same time as other candidates up for election in 2024 (by November 10, 2023).

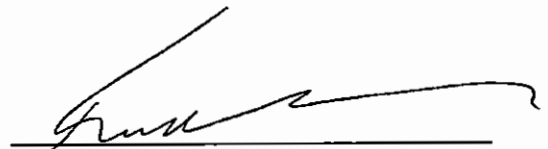
18. In my 19 years with the Department, I recall only one instance in which voters were required to fill out two separate ballots. I recall long delays in those elections.

19. A separate ballot could also require a separate set of voting machines. The County does not currently have enough voting machines to facilitate such an election on the same day. The County currently has just enough spare voting machines to facilitate the elections already planned for the 2024 primary and general elections.

20. Based on my experience as the Chief of Elections for the Jefferson County Commission General Services Department, there is insufficient equipment and insufficient time remaining to administer a reliable election for all five County Commission seats alongside the already scheduled elections in 2024.

Pursuant to 28 U.S.C. §1746, I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Executed this 9 day of August, 2023

A handwritten signature in black ink, appearing to be "Gunn", written over a horizontal line.